

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FRANK ACCOSTA AND DAVID
ROSENSTOCK,

Plaintiff,

-against-

LORELEI EVENTS GROUP, INC., AND
LORRAINE TOTARO,

Defendants.

Civil Action No.: 17-7804 (NSR)(PED)

Hon. Nelson S. Roman, U.S.D.J.

TO: Joseph G. Colao, Esq.
Leader Berkon Colao & Silverstein, LLP
630 Third Avenue
New York, New York 10017
Attorneys For Defendants

PLEASE TAKE NOTICE that the undersigned will an application to this Court, before the Honorable Nelson S. Roman, United States District Judge, Southern District of New York, at the United States Courthouse, 300 Quarropas Street, White Plains, New York, 10601, on March 11, 2021, at a time to be set by the Court, or as soon thereafter as the parties may be heard, for entry of summary judgment in favor of the Plaintiffs FRANK ACCOSTA and DAVID ROSENSTOCK, and against defendants LORELEI EVENTS GROUOP, INC., and LORRAINE TOTARO, granting relief against both Defendants, jointly and severally, pursuant to Fair Labor Standards Act, 29 U.S.C. §§ 201, *et seq.*, and the regulations promulgated thereto, the New York Minimum Wage Act, Article 19 of the Labor Law of the State of New York, Article 6 of §§191, *et seq.*, of the New York Labor Law, the Employee Retirement Income Security Act, 29 U.S.C. §§1001, and for unjust enrichment.

PLEASE TAKE FURTHER NOTICE, that in support of this application, Plaintiffs will rely on the accompanying Declaration of Matthew P. Rocco, Esq., and exhibits thereto, Declaration of Frank Accosta and exhibits thereto, Declaration of David Rosenstock, and Plaintiffs' memorandum of law in support.

PLEASE TAKE FURTHER NOTICE, that Defendants' opposition papers are due to be served on or before February 24, 2021.

Dated: January 25, 2021
Elmsford, New York

Respectfully submitted,

ROTHMAN ROCCO LARUFFA, LLP
Attorneys for Plaintiffs

/s/ Matthew P. Rocco

By: _____
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